

**Regular Meeting
Board of Zoning Appeals
August 3, 2005**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 7:00 p.m. Secretary Lloyd Martin took roll call as follows:

Chairman Jerry Uebelhor	-Present	Randy Mehringer	-Present
Vice Chairman Jim Blessinger	-Present	Bob Wright	-Present
Secretary Lloyd Martin	-Present	Bldg. Comm. Dave Seger	-Present
Ray Byrd	-Present	Atty Sandy Hemmerlein	-Present

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the July 6, 2005, Regular Meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Vice Chairman Blessinger seconded it. Motion carried 6-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Greg and Melanie Shultz for a variance from Section 16.02.140 (Height Regulations.)

Greg Shultz was present to request a variance to build a garage on his property located at 4087 W. Hillcrest Drive. The height of the garage would be 18 feet to match the roofline of the house.

There were no remonstrators present. Vice Chairman Blessinger made a motion to close the public hearing. Ray Byrd seconded it. Motion carried 6-0.

Secretary Martin made a motion to grant a variance from Section 16.02.140 (Height Regulations) with the height of the garage not to exceed 18 feet. Ray Byrd seconded it. Motion carried 6-0.

Petition of John W. Becher for a variance to build a deck within 8 feet of the rear yard and a garage within 2 feet of the side yard and 7 feet of the rear yard.

John and Laurie Becher were present to request a variance to build a covered porch and a carport at their residence located at 713 Mill Street. The purpose for the remodeling is to add some privacy to the residence, which sets adjacent to the funeral home.

Ron Flick, of Pyramid Architecture and Engineering, Inc., displayed a drawing of the proposed project. Plans are to build a raised deck off the back of the house, surrounded by fencing, and move the carport onto the lot next to the house. The carport would be three-sided with one end enclosed for storage.

There were no remonstrators present. With no more discussion, Ray Byrd made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Bob Wright made a motion to grant a variance to build a deck within 8 feet of the rear yard and a garage within 2 feet of the side yard at 713 Mill Street. Randy Mehringer seconded it. Motion carried 6-0.

Petition of Harold D. Murray and Karen A. Murray for a variance to build within 6 inches of the side yard and 30 feet of the front yard.

Harold Murray was present to request a variance to build a garage on his property located at 417 E. 5th Street. The garage would be built within 6 inches of the side yard and 30 feet of the front yard.

Mr. Murray displayed some photographs of an existing garage that would be torn down and replaced with the proposed garage. The new building would be metal sided with a concrete floor.

There were no remonstrators present. Secretary Martin made a motion to close the public hearing. Bob Wright seconded it. Motion carried 6-0.

Secretary Martin made a motion to grant a variance to build a garage within 6 inches of the side yard and 30 feet of the front yard at 417 E. 5th Street. Vice Chairman Blessinger seconded it. Motion carried 6-0.

Petition of Southern Indiana Gas and Electric, d/b/a, Vectren Energy Delivery of Indiana, Inc., for a special exception to allow a Public Utility structure in an A-1 (Agricultural) District.

Brad Schnarr, of Schnarr & Associates, and Tom Osborne, of Hoosier Energy, were present to request a special exception to allow a public utility structure in an (A-1) Agriculture zone. The property is located southeast of US 231 and south of County Road 500 N.

Plans are to build a new substation to increase the power supply in the local area. A maintenance control building and a control tower would be built in a fenced

area with a rock yard. The unmanned, metal-sided building would measure 28 feet x 36 feet and be used for electrical control.

Alan Huebner, of 4758 N US 231, and Aaron Huebner, of 4677 N US 231, were present to voice their objection to the substation. Mr. (Alan) Huebner displayed some photographs of surrounding property owners, showing how close it would be to everyone in that area. Mr. Huebner argued that a 300-foot x 400-foot structure would definitely depreciate the surrounding properties.

Attorney Sandy Hemmerlein read letters addressed to the Board from Greta Gutknecht and Jay Gutknecht, both of 4914 N US 231. The letters stated that they were also opposed to the proposed utility structure because it would be too close to their home.

After much discussion between the Board, petitioners and remonstrators, Bob Wright made a suggestion to table the public hearing, allowing the petitioner to design a more detailed plan, along with a commitment to the neighbors that their property would be protected as much as possible by fencing and/or adding a green space around the proposed structure.

Secretary Martin made a motion to table the public hearing. Vice Chairman Blessinger seconded it. Motion carried 6-0.

Petition of Southern Indiana Gas and Electric, d/b/a, Vectren Energy Delivery of Indiana, Inc., for a variance from Section 16.02.140 (Height Regulations).

Bob Wright made a motion to table the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Petition of Tiffany Realty & Management Company, Inc. and Greater Jasper Consolidated Schools for a variance from Section 16.03.050 (Off-Street Parking and Loading).

Bernie Vogler was present on behalf of the Greater Jasper Consolidated Schools. Also present were the Administration of Greater Jasper Schools and a quorum of the School Board. Mr. Vogler, on behalf of Greater Jasper Consolidated Schools, is requesting a variance to deviate from the off-street parking standards.

Mr. Vogler stated that Tiffany Realty Management Company is contracted to purchase the former Jasper Middle School, contingent upon a parking variance and rezoning. Plans are to remodel the former Jasper Middle School into a senior living center.

Joe Wolfla, president of Tiffany Realty, appeared before the Board to explain his plans for the proposed "Cabby O'Neil" living center. The center would have 75 units, a maximum of two persons per apartment and be limited to those 55 years of age and older who meet certain guidelines.

There would be approximately 10 full and part-time employees, including an on-site manager. The center would have a van to transport residents, if need be, to doctor appointments, shopping, etc.

According to a preliminary market study, most of the residents would have only one or no vehicles. Therefore, Mr. Wolfla is requesting that a variance be granted to allow only one parking space per unit plus 8 spaces, which would be a total of 83 parking spots.

Mr. Wolfla displayed a design of the proposed parking spaces, showing 22 spaces along Seymour Street, 44 spaces on the west side of the building and 17 spaces donated by the School Board on 6th and St. John Streets. Plans are to tear down the garage located on Seymour Street, (the former superintendent's property) and the utility building on the west side to help accommodate for the extra spaces needed.

Phil Gramelspacher, of 333 W. 6th Street, said he was not against the idea of a senior living center; however, he would like to see a commitment regarding a green space along the front of the building to blend in with the neighborhood.

Nan Kern, of 418 W. 7th Street, a Social Service and Marketing Director for Meadowood Apartments, said there are always parking spaces available at Meadowood. Ms. Kern added that Meadowood Apartments are at full capacity.

Bob Wright asked Mr. Wolfla how the Board would be assured the building wouldn't be anything other than a senior living center.

Mr. Wolfla said the property could not operate as anything other than a senior living center because of the HUD (Housing and Urban Development) agreement.

There were several remonstrators present. Those who voiced their concerns were Mike and Theresa Cravener, of 338 W. 7th Street, Jack Bies, of 342 W. 7th Street, and Dee Ann Bell, of 406 W. 7th Street. Their main concern was the fear that parking problems in the neighborhood would be similar to those that existed when the middle school was in operation.

There was much discussion. Ray Byrd then made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Bob Wright made a motion to grant a variance to allow one parking space per unit plus 10 additional spaces, contingent upon 1.) adding a greenbelt in the space along 6th Street and wrapping around St. John Street and 2.) the building shall operate as a senior living center only. It was seconded by Vice Chairman Blessinger. Motion carried 6-0.

Petition of Steve Wigand of Remax Realty for a variance to allow offices in the Floodway.

Surveyor Ken Brosmer and Steve Wigand, of Remax Realty, were present to request a variance to operate the house located at 105 Jackson Street as an office. The proposed location was previously used as an office for the Jasper Cabinet Company.

Plans are to use the house as an annex to the main office located at 120 3rd Avenue. Mr. Wigand would use the house as "his" main office with a few other employees moving there to help alleviate the congestion at the 3rd Avenue office.

Building Commissioner Seger reminded Mr. Wigand that the parking lot must be paved within one year if four or more vehicles are parked there at one time. Also, there shall be no sign larger than four square feet.

There were no remonstrators present. Randy Mehringer made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Randy Mehringer made a motion to grant a variance to allow offices in the Floodway at 105 Jackson Street. Ray Byrd seconded it. Motion carried 6-0.

With no further discussion, Vice Chairman Blessinger made a motion to adjourn the meeting. Ray Byrd seconded it. The motion carried 6-0, and the meeting was adjourned at 9:30 p.m.

Jerry Uebelhor, Chairman

Lloyd Martin, Secretary

Kathy M. Pfister, Recording Secretary